

John S. Desiderio, Esq. (JSD4835)  
Attorney for Creditor John Desiderio, Sr.  
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(718) 757-9477

**Hearing Date: February 6, 2014**  
**Time: 2:00 p.m.**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

Chapter 7

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In re:

Case No. 13-45106-CEC

VIKI DEVANI,

**NOTICE OF HEARING**

Debtor.  
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**PLEASE TAKE NOTICE** that, the undersigned, on behalf of JOHN DESIDERIO, SR. ("Desiderio"), an unsecured creditor of the debtor, VIKI DEVANI ("Debtor"), will move before the Honorable Carla E. Craig, Chief Judge, at the United States Bankruptcy Court, EDNY, Conrad B. Duberstein Courthouse, 271 Cadman Plaza East, Room 3529, Brooklyn, New York 11201-1800, on February 6, 2014, at 2:00 p.m., or as soon thereafter as counsel may be heard, for an Order: (a) dismissing the Chapter 7 case of Debtor for cause pursuant to §707(a) of Title 11 of the United States Code (the "Bankruptcy Code") with prejudice barring the Debtor from making any subsequent filings under the Bankruptcy Code for a period of at least three years; (b) imposing sanctions upon the Debtor pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Section 105(a) of the Bankruptcy Code; (c) imposing sanctions upon VIVIAN SOBERS and SOBERS LAW PLLC, jointly and severally with Debtor, pursuant to Bankruptcy Rule 9011, Section 105(a) of the Bankruptcy Code, and 28 U.S.C. §1927, and based upon the breach of their duties under §707(b)(4)(C) and §707(b)(4)(D) of the Bankruptcy Code; and (d) granting such other and further relief as this Court deems just and proper, or in the alternative, for an extension of time to object to the Debtor's discharge.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the relief requested in this motion shall be filed as follows: (a)(i) through the Bankruptcy Court's electronic filing system (in accordance with General Order #M-242 and the Revised Administrative Procedures for the Electronic Case Filing System can be found at [www.nyeb.uscourts.gov](http://www.nyeb.uscourts.gov), the official website for the United States Bankruptcy Court for the Eastern District of New York) by registered users of the Court's electronic case filing system and (ii) by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect or any other Windows-based word processing format (with a hard copy delivered to Chambers) and served in accordance with General Order #M-242, and objections shall be served upon: (a) John S. Desiderio, Esq., 50 Gerard Street, Suite 100A, Huntington, New York 11743; (b) Sobers, Sobers Law, PLLC, 11 Broadway, Suite 615, New York, New York 10004; (c) Robert J. Musso, Chapter 7 Trustee, 26 Court Street, Suite 2211, Brooklyn, New York 11242; and (d) the Office of the United States Trustee, 271 Cadman Plaza East, Suite 4529, Brooklyn, New York 11201, so as to be received no later than seven (7) days prior to the hearing date hereof.

Dated: Huntington, New York  
December 29, 2013

/s/ John S. Desiderio, Esq.  
JOHN S. DESIDERIO (JSD 4835)  
Attorney for Creditor John Desiderio, Sr.  
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(718) 757-9477

TO: Office of the United States Trustee  
271 Cadman Plaza East, Suite 4529  
Brooklyn, New York 11201

Robert J. Musso  
Chapter 7 Trustee  
26 Court Street, Suite 2211  
Brooklyn, New York 11242

Vivian Sobers  
Sobers Law, PLLC  
Attorney for Debtor  
11 Broadway, Suite 615  
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Philadelphia, PA 19101-7829

Discovery Financial Services  
P.O. Box 6103  
Carol Stream, IL 60197

First Premier  
6010 S. Minnesota Avenue, Suite 208  
Sioux Falls, SD 57101

Midland Funding, LLC  
8875 Aero Drive, Suite 200  
San Diego, CA 92123

Atlas Acquisitions LLC  
294 Union St.  
Hackensack, NJ 07601